



COMMUNITY INPUT

Update for the Bond Election Advisory Task Force

April 23, 2012

This document is the sixth of regular updates to be provided to the Bond Election Advisory Task Force on community input received during the bond development process.

This report provides public comments and input received between April 9th and April 22nd, 2012 from the following sources:

- Comments provided via email sent to bonddevelopment@austintexas.gov
- Comments provided online on SpeakUpAustin.org

The following comments were provided through one or more of those methods. (Organization of comments provided by staff.)

Affordable Housing - related comments

- I am writing to express my full support for the proposal towards affordable housing in the upcoming bond election. I believe that every person -- regardless of income, employment, age, race, or ability -- has the right to safe and affordable housing. Unfortunately, that is not a reality for many of our fellow Austinites. As a current social work student, I have witnessed my own clients and those of my colleagues struggle to find and maintain affordable housing. Often times, these individuals are forced to live paycheck to paycheck, doubled-up with friends and family. With the Housing Choice Voucher program still on a freeze, affordable options are often limited. I have been impressed by the impact and longevity of the \$55 million that was allocated towards affordable housing in the 2006 bond election. Those funds have created not only ~2,500 homes, but jobs, stability, safety, and respect for many members of our community. It is one of Imagine Austin's goals to create a sustainable community and high quality of life, and what better way to do that than to promote and develop affordable housing. As the bond election proposal is being finalized, I ask that you seriously consider the amount of funds that will be allocated for affordable housing. Thank you for your consideration.

Parks & Open Space – related comments

- Environmental Board Recommendation to support Bonds for open space land. Motioned by Board member Robin Gary and seconded by Board member James Schissler [Vote 4-0] Board member Bob Anderson, Mary Ann Neely and Jennifer Wilson were absent.
- 9569.002 Cemetery Improvements, \$4,000,000 Dear Committee Members: Thank you for your service to our community. I offer the following as a stakeholder with three generations buried at the Oakwood Annex and as an advocate for both our public cemeteries and historic preservation. Please approve the full \$4,000,000 allocation for cemetery improvements. Currently,



COMMUNITY INPUT

Update for the Bond Election Advisory Task Force

April 23, 2012

neither the Parks and Recreation Department nor the City's 2012 Needs Assessment identifies the bond request referred to above as a near-term item. This is a grossly inappropriate designation. Near-Term Capital Projects or Programs (Level 1) are defined as meeting one of the following:

1. Required by state or federal law, legal judgment, court order, or regulatory mandate
2. Remedies or prevents a serious hazard that threatens public health, safety or security
3. Infrastructure failure is either occurring or is a high possibility in the immediate future
4. Project or program deferral will lead to significant degradation of infrastructure that substantially compromises delivery of City services

This request reflects decades of neglect by the City and its contractor, InterCare. The last known capital improvement project took place decades ago. There is no immediate evidence of CIP funds for nearly 20 years. Infrastructure has decayed significantly, including historic structures, headstones have sunken, fallen or have been damaged and many of the cemeteries' trees and other vegetation have died due to wanton neglect.

State statute, specifically Section 713.002, generally provides that any city or town that owns or has control of any cemetery has the power to maintain the cemetery. This was further detailed in May of 2009, when the Texas Legislature amended Section 713.011 (see <http://www.statutes.legis.state.tx.us/Docs/HS/htm/HS.713.htm>) to charge a municipality that "operates or has jurisdiction over a public cemetery" with the responsibility to "maintain the cemetery in a condition that does not endanger the public health, safety, comfort, or welfare." In this context, maintenance includes:

1. Repairing and maintaining any fences, walls, buildings, roads, or other improvements;
2. Leveling or straightening markers or memorials;
3. Properly maintaining lawns shrubbery, and other plants;
4. Removing debris, including dead flowers and deteriorated plastic ornaments; and
5. Promptly restoring gravesites following an interment.

Based on these requirements, the City of Austin is currently in violation of State statute and arguably for each one of the aforementioned. This alone should be sufficient not only to elevate this bond item to a near-term need but to insure that the full request is allocated. It should be added that the City of Austin also may be in violation of the Antiquities Code of Texas (Title 9, Chapter 191 of the Texas Natural Resources Code of 1977, revised Sept. 1, 1997). If an historic cemetery is owned by a political subdivision of the State of Texas (city, county, etc.), all burials within are protected as archeological sites. This means that headstones may also be protected



COMMUNITY INPUT

Update for the Bond Election Advisory Task Force

April 23, 2012

along with the interments as either part of the archeological deposit or as separate architectural features associated with the site as a whole. The Texas Historical Commission has a policy regarding historic graves and cemeteries that calls for recordation, protection, and preservation whenever possible. This is not occurring currently consistently if at all in the 5 City-owned cemeteries. For further information, I would suggest reading

<http://www.thc.state.tx.us/publications/guidelines/Preservecem.pdf>.

It should be noted that several of the cemeteries have historic structures on site, several of which are in near-derelict condition. The City of Austin recently enacted sweeping changes to the Historic Landmark Program including heightened maintenance requirements and annual inspections of historic landmarks. It should be underscored that the City is in violation of its own Codes and Ordinances as it pertains to the maintenance of historic structures. Further, as a model city, Austin embarrassingly fails to comply with the U.S. Secretary of the Interiors standards for the maintenance and care of its own historic resources. A failure to apply CIP money for the restoration of these structures will result in the continuing and rapid degradation of these historic City-owned assets.

While CIP funding for publically owned cemeteries may not seem a public priority, the fact of the matter is that the City not only has an ethical responsibility as the caretaker of our 5 public cemeteries and as the maker of a promise to both those who have passed away and those who survive and grieve but that it also has a legal responsibility to do so as mandated by both State law and local codes and ordinances. Full funding is not an option in this case but rather a requirement. Thank you, August W. Harris III

- Use bond funds to correct neglect of parks and cemeteries. The PARD budget has been squeezed, limiting its ability to maintain trees and facilities. We need to recommit ourselves as a city to the importance of the network of pools and parks and playing facilities (golf and tennis, etc.) that have been the centerpiece of Austin's communities and egalitarian lifestyle. We have an opportunity to catch up a bit with bond funds (ie. connecting Hancock Golf Course to the gray water line and making needed improvements there so people can enjoy an urban golf course). (received 15 votes on SpeakUpAustin.org)
 - Why is the city not covering this out of the fees and taxes citizens now pay? Issuing bonds is just another way of saying city budgeting screwed up.
 - Brian is right. Maintenance of public facilities should be a part of the regular budget. Bonds are paid for in future budgets and should be utilized for investing in things that can't be paid for up front, not for maintenance/upkeep.
- I express an interest in The Cemetery Portion of the Bond Offering Referendum. I come to offer an approach that is singular. Cemetery Bonds seem to be a bastard



COMMUNITY INPUT

Update for the Bond Election Advisory Task Force

April 23, 2012

child in most bond considerations, i.e., drawn to draw supporters of a minimal amount and yet not drive away those who shy away from large dollar amounts reflected in the overall offering. I urge a stand alone Cemetery bond offering that includes capital improvements, additional land acquisitions, enhanced site accommodations(office, Gazebos and Visitor Stations)based on reasoned needs to ensure a 1st class status for all Austin Cemeteries and not a piece-meal approach to the decrepit codition status we observe today at four of the five city owned cemeteries. I urge a stand alone cemetery bond referendum, if necessary, after an "All Hands On deck Effort" to raise the money from private sources and from foundations and state and federal grants first. Austin deserves a first class cemetery chain that attracts visitors and is marketed as a travel destination. some countries use the approach of National Cemeteries with each region or each state(City Cemeteries) where national heroes rest are funded to assure a standardized appearance endures. Why not?

- Red Bud Isle - General Park Improvements \$ 1 ,500,000. The West Austin Neighborhood Group opposes the above referenced allocation for capital improvements to Red Bud Island. Below is a photograph from 2007 looking north from the Emmett Shelton Bridge on Red Bud Trail. This is not uncommon during heavy rains. Here, Red Bud Island is being scoured by this flooding event, not one caused by creeks or streams but the raging torrents of the Colorado River. Every few years, improvements are obliterated by these recurring floods. Any investment in surface infrastructure is a waste of scarce resources. Aside from the futility of infrastructure improvements for Red Bud Island, we oppose increased parking. We have suggested that rather than increasing parking infrastructure, existing parking spaces should be metered to encourage turnover so that more folks have access to the facility. A recently released study on the extended parking meter hours downtown has shown higher turnover and improved availability of existing on-street parking. Increasing available parking on Red Bud Island will only serve to increase traffic, congestion, decrease safety and further worsen other adverse issues. An advantage of metering is that through the City of Austin's new Parking Benefit District Program, a portion of all parking revenues would be rebated for ongoing maintenance at the park so that users would actually be sharing the burden of their wear and tear on this jewel and helping to maintain it for the benefit of all. Red Bud has morphed from what had been viewed as a preserve as late as the mid 1980's into a multiuse recreational facility and more recently an off leash dog area, and as such is ill equipped. Overuse, traffic and parking have become enormous challenges for this accidental feature in the middle of the Colorado River. Red Bud was designated as an off leash area in 2001 but is, in fact, a multiuse recreational park and preserve, not merely as a "dog park." It is unfortunate that this connotation drives other recreational users away and has resulted in a degradation of this environmentally sensitive area. We recently received



COMMUNITY INPUT

Update for the Bond Election Advisory Task Force

April 23, 2012

testimony from a kayaker who feels that he has been disenfranchised from the facility. **When the Town Lake Comprehensive Plan was developed and adopted in the 1980's, it very clearly stated that the upper part of Town Lake/Lady Bird Lake would be kept in its "natural" state, as much as possible - and then would more gradually change to a more "urban" open space lake front as the lake ran to downtown... Page 30 of that plan describes that upper area as The Preserve..."where human activity is limited" and "near total retention of natural landscape is appropriate." "Red Bud Isle"..... offers opportunities for "wild areas in strong contrast to the tamed urban landscape."... "It is important to keep some small areas sacrosanct to maintain reminders of the native beauty of the region."** It would appear the current use, much less far more intensive use, would be a violation of the Town Lake Comprehensive Plan. Please understand that WANG is **supportive** of off leash areas where appropriate for dogs to roam and play. Red Bud, with its ready access to water, is a wonderful and important asset for man's best friend. However, increasing the intensity of use is adverse to the ecological health of this unique feature. A better balance must be found between preserve, recreation and off leash uses. Constraining parking furthers that objective while retaining shared opportunities for dogs, man and nature to coexist. We cannot support this bond allocation and hope that it will either be amended to address our concerns or removed from the bond package altogether. Should you have any questions, please do not hesitate to contact me. Thank you. August W. Harris III, West Austin Neighborhood Group

- I have been a steward of Bull Creek since the early 80's. After seeing the condition of Bull Creek deteriorated horribly I stepped back in to support that dogs be allowed only on leash in the park. In my mind the City made the right decision to restore the park, and fight for the water quality being maintained. Unfortunately, Tropical Storm Hermine stuck Austin on Sept. 10, 2010 shortly after the restoration was completed. The new restored park was devastated as well as the surrounding areas. The cause of the destruction, which is not being stated by neither PARD nor Watershed in any correspondence I've seen was the building of a bridge that replaced the low water crossing. The bridge was built for a 2 year flood. Having lived here and watched the creek and the amount of water that flows through the low water crossing during heavy rains, I know that the bridge should have never been built. The bridge acted as a dam forcing water to find another route. The sediment and debris was dropped in the main pool because of that bridge. The water backed up to the "piano rock" causing the retaining wall to fail; it deposited sediment there; it ripped out the new parking lot, etc. The destruction the water caused can still be viewed today, as huge gullies were left behind showing the water's force and its power. The only plans I've had heard are for picnic tables in the future, as funds are not available I'm told. Yet the opportunity to make the repairs is now days from being a total loss, as the Bond Election Committee is making its final decisions on funding projects. At this writing



COMMUNITY INPUT

Update for the Bond Election Advisory Task Force

April 23, 2012

neither PARD nor Watershed will claim responsibility for rebuilding the retaining wall. Nineteen months later the hole is getting bigger with each new rain. With each heavy rain, water flows over both sides of the retaining wall causing more damage and taking more of its integrity away in at least two spots. The creek water does that because of the sediment that fills a large portion of the pool, (sediment which includes large pieces of concrete, which I am told is “found in every creek bed in Austin” by Watershed). I am attaching a few pictures to show what the park looks like today April 15th, and a photo of the parks beauty prior to the City taking over the park. As you can see it is very different. Not the least bit aesthetically pleasing, it’s downright ugly, more of an eye sore I’d say. The park was made a District Park when it was deemed an off leash dog park, I now ask that it be returned to the neighborhood and deemed a Neighborhood Park again. Where once the dogs ran free it’s time to install a play scape for the neighborhood kids. Something that could also be approved by the Bond Committee. It seems only certain Creeks get special attention in Austin. We all know Barton Springs is the City’s Jewel, as Bull Creek use to be, as seen in the photo. Now Waller Creek is getting millions yet the City chooses not to maintain jewels it already has. I would ask that the real facts be made known so that intelligent decisions can be made. The City has the reputation and resources to step up and restore the beauty and function to this park for all generations to come. I’m asking that you revisit this before Wednesday’s meeting of the PARD Bond Election Committee Meeting as time is of essence here. If you would like to see more photos please contact me. Thank you for your consideration in this matter.

Transportation/Mobility - related comments

- 9684.003 Emmett Shelton Bridge on Red Bud Trail The West Austin Neighborhood Group opposes the above referenced bond request to replace the Emmett Shelton Bridge at Red Bud Trail. A new bridge will only serve to encourage the diversion of even more traffic from Loop 1 onto adjacent neighborhood streets never designed nor intended for current much less anticipated volumes of traffic. Furthermore, a less costly option may exist. Rather than replacing the Emmett Shelton Bridge, we suggest that the City consider reinforcing the existing structure. We recognize a study by Faulkner Engineering that stated that the Bridge had no remaining fatigue life. However, reinforcement should extend the Bridge’s life, perhaps significantly, and would meet health and safety requirements without encouraging the diversion of additional traffic. While we generally support initiatives that will result in improved mobility, noting that this proposed project received a mobility score of “0,” if undertaken, it will only serve to decrease mobility within the neighborhood as a result of diversions. It should be noted that many folks using Red Bud Trail do so to avoid not only Loop 1 but FM 2244, FM 2222 and Loop 360. They then continue on roads like Westlake Drive, Redbud Trail etc. within the City of Westlake Hills. The Westlake Hills



COMMUNITY INPUT

Update for the Bond Election Advisory Task Force

April 23, 2012

roads simply are not equipped to deal with additional volume that a new bridge would generate. With the additional traffic volume, it will also decrease safety for area residents and potentially have an adverse environmental impact on our already threatened ecosystem. Please remove this project from consideration in the 2012 Bond Package. Should you have any questions, please do not hesitate to contact me. Thank you. August W. Harris III, President, West Austin Neighborhood Group

- My letter concerns funding of the East 12th Street Project. Funding for this project has been neglected for years and its time has come. I urge you to allocate funds based on proposals submitted by the Neighborhood Task Force. East 12th Street needs to be brought up to standards of other Austin neighborhoods and I urge your support.

- Below please find a letter from various stakeholders regarding desperately needed funding for East 12th Street, a project that was committed to by the City many years ago and highlighted in the recent Market Study but yet fulfilled. Below the letter is a list of signatories along with individual comments, if any. The online petition can be found here: <http://www.ipetitions.com/petition/fund-12th-street-now>

Dear Mayor Leffingwell, Mayor Pro Tem Cole, Council Members, City Manager Ott, Chief of Staff Snipes, Assistant City Manager Lumbreras, Betsy Spencer, Planning Commissioners, Members of the Bond Election Advisory Task Force, Public Works, Capital Planning Office: As outlined below, we humbly request at least \$20 Million in funds be allocated for streetscape and infrastructure improvements for East 12th Street. In 1999 the Council adopted the Central East Austin Master Plan/East 11th & 12th Streets Urban Renewal Plan (the “Master Plan”) which “provides a specific implementation mechanism for realizing concentrated redevelopment in the heart of Central East Austin” (Master Plan p. 3) intended to combat slum and blight in the area resulting from years of City neglect and underinvestment.

The Master Plan called for comprehensive streetscape improvements and utility upgrades for both East 11th Street and East 12th Street, but the City has yet to plan for, fund, or execute measures to improve the East 12th Street canvas. In fact, the City’s Audit Report dated November 3, 2009 regarding the redevelopment effort

(<http://www.ci.austin.tx.us/auditor/downloads/au09103.pdf>) found significant deficiencies in the City’s implementation of the Master Plan along East 12th Street.

In an effort to help guide the future of the redevelopment effort, the City hired a consulting firm to conduct a “market study.” Included within that study is an effort to quantify the improvements needed for East 12th Street. The consultants have released a draft of that report which calls for the City to set aside \$10 Million for the East 12th Street improvements. We believe this amount is inadequate and that will be borne out through consultant analysis to determine a more accurate cost estimate. Furthermore, the \$10 Million estimate is based on only a portion of the improvements that are needed and called for in the Master Plan. We believe the amount should be no less than \$20 Million for East 12th Street, as supported by the resolution passed unanimously by the Austin Neighborhoods



COMMUNITY INPUT

Update for the Bond Election Advisory Task Force

April 23, 2012

Council(http://www.ancweb.org/docs/resolutions/Approved10262011_East12thSt_Improvements.pdf).

Why is \$20 Million necessary? First of all, the consultants' recommendations are all based on the best case assumptions of both the cost of the improvements as well as the state of infrastructure. Furthermore, they suggest the bare minimum of improvements rather than implementing improvements equal to the City's investments in East 11th Street and other urban core streetscape improvement projects in Austin.

By way of example, Appendix F of the Audit Report provides a precise accounting of the funds spent on 11th Street, which total almost \$7 Million (in 2000 dollars) for an area 43% the size of East 12th Street. Using the same level of funding for East 12th Street, and adjusting for inflation, is an amount just under \$20 Million.

We also refer you to the City's improvements to Rio Grande Street. As reported in the Austin American Statesman on January 2, 2012, the City is spending \$11.3 Million for a length similar to East 12th Street, however, the project manager recently reported that the amount will likely increase due to newly discovered issues and higher than estimated bids for work. The amount required to underground utilities along East 12th Street is far greater than along Rio Grande, the conditions of East 12th Street in greater need due to years of neglect, and the original scope of the East 12th Street project envisions much more than that set forth for the Rio Grande Street project.

One of the recommendations by the market study consultants is to forgo the undergrounding of the transmission lines that run along East 12th Street. While burying these lines is costly, we believe this is necessary to fully build out East 12th Street to its potential and in accordance with the vision for neighborhood-serving mixed-used development with ground-floor retail. These transmission lines will impair the development envisioned in the Master Plan given the shallow lots along the street. We strongly encourage the City to underground these lines.

In July of 2011, the Planning Commission sent a letter to Council regarding needed capital improvements, stating that "[t]he Commission is anxious to see infill development on East 12th that bring jobs and services to the local areas as per the adopted Central East Austin Neighborhood Plan." We are anxious as well. The City has taken up new project after new project without fulfilling its promise to East 12th Street. It is time we fulfill our commitment to East Austin and Central East Austin residents and fully fund improvements to East 12th Street. With your help, we can make East 12th Street the type of community it once was in the '40s and '50s—a bustling commercial corridor that was at the center of the East Austin community. We can make East 12th Street an East Austin Great Street just like those Downtown.

Please ensure that no less than \$20 Million is dedicated for near-term expenditure on East 12th Street infrastructure and streetscape improvements!

[See petition link above for signatures and additional comments.]